

IN THE HIGH COURT OF ORISSA AT CUTTACK

ABLAPL No.16469 of 2021

1. Muna Naik **Petitioners**
2. Balia Behera

Mr. J.K. Panda, Advocate

-versus-

State of Odisha **Opp. Party**

Mr. Arupananda Das,
Addl. Government Advocate

CORAM:

JUSTICE S.K. SAHOO

ORDER

25.01.2022

Order No.

01.

This matter is taken up by video conferencing mode.

Heard learned counsel for the petitioners and learned counsel for the State.

This is an application under section 438 Cr.P.C. for grant of anticipatory bail to the petitioners in connection with G.R. Case No.929 of 2021 arising out of Motanga P.S. Case No.155 of 2021 pending in the Court of learned S.D.J.M., Dhenkanal for alleged commission of offence under section 395 of the Indian Penal Code.

Perused the F.I.R.

Learned counsel for the petitioners submitted that some of the co-accused persons were taken into custody during course of investigation and they have already been released on bail. He has annexed the bail order copies to

the anticipatory bail application. It is further submitted that the petitioners may be permitted to surrender in the Court below and move application for bail and the same may be directed to be disposed of expeditiously.

Learned counsel for the State has no serious objection.

Considering the submissions made by the learned counsel for the respective parties, while not inclining to grant anticipatory bail to the petitioners, it is ordered that in the event the petitioners surrender in the Court below within a period of four weeks from today and move for bail before the learned Court below, the same shall be disposed of as expeditiously as possible by the Courts below in accordance with law and claim of parity with the co-accused persons, who are stated to have been released on bail, shall be taken into account at the time of adjudication of the bail application. The case records shall be made available to the Court concerned.

The ABLAPL is accordingly disposed of.

Parties may utilize the soft copy of this order available in the High Court's website or print out thereof at par with certified copy in the manner prescribed vide Office Order dated 7th January 2022.

(S.K. Sahoo)
Judge

RKM